

State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NO. 37

NORTH CAROLINA EMERGENCY RESPONSE COMMISSION

By the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, **IT IS ORDERED:**

Section 1. Establishment

There is hereby established the North Carolina Emergency Response Commission, hereinafter referred to as the "Commission." The Commission shall consist of not less than 12 members and shall be composed of at least the following persons, or their designee as approved by the Commission Chairperson:

- a. Secretary of the North Carolina Department of Crime Control and Public Safety, who shall serve as the Chairperson;
- b. Director of the Division of Emergency Management, North Carolina Department of Crime Control and Public Safety, who shall serve as the Vice-Chairperson;
- c. Commander of the State Highway Patrol, North Carolina Department of Crime Control and Public Safety;
- d. Deputy Secretary of the North Carolina Department of Environment and Natural Resources;
- e. Director of the Division of Safety and Loss Control, North Carolina Department of Transportation;
- f. Chief of the Office of Emergency Medical Services, Division of Facility Services, North Carolina Department of Health and Human Services;
- g. Deputy Director of the Training and Inspections Division, Office of State Fire Marshal, North Carolina Department of Insurance;
- h. Director of the State Bureau of Investigation, North Carolina Department of Justice;
- i. Director, Division of Public Health, North Carolina Department of Health and Human Services;
- j. Assistant Deputy Commissioner of the Labor for Occupational Safety and Health, North Carolina Department of Labor;
- k. President of the North Carolina Community College System; and
- l. Director of the Emergency Programs Division, North Carolina Department of Agriculture and Consumer Services.

In addition to the foregoing, six at-large members from local government and private industry may be appointed by the Governor and serve terms of two (2) years at the pleasure of the Governor.

Section 2. Duties

The Commission is designated as the State Emergency Response Commission as defined in the Emergency Planning and Community Right-to-Know Act of 1986 enacted by the United States Congress and hereinafter referred to as the "Act." The Commission serves in three roles:

- a. The Commission will perform all of the duties required under the Act and other advisory, administrative, regulatory, or legislative actions.
 1. Designate emergency planning districts to facilitate preparation and implementation of emergency plans as required under Section 301(b) of the Act.
 2. Appoint local emergency planning committees described under Section 301(c) of the Act and supervise and coordinate the activities of such committees for each planning district.
 3. Establish procedures for reviewing and processing requests from the public for information under Section 324 of the Act.
 4. Designate additional facilities that may be subject to the Act under Section 302 of the Act and notify the Administrator of the Environmental Protection Agency of any such additional facilities.
 5. Review the emergency plans submitted by the local emergency planning committees and recommend revisions of the plans that may be necessary to ensure their coordination with emergency response plans of adjacent districts and state plans.

- b. The Commission will act in an advisory capacity to the Homeland Security Advisor, as designated by the Governor, to provide input regarding the activities of the North Carolina State Homeland Security Program and the Domestic Preparedness Regions. Specifically, the Commission will:
 1. Review the State Homeland Security Strategy to ensure it is aligned with local, state, and federal priorities as required by the United States Department of Homeland Security (DHS), and that its goals and objectives are being met in accordance with program intent.
 2. Review DHS Homeland Security Grant Program applications and subsequent allocations for state and regional homeland security projects.
 3. Review plans for preventing, preparing for, responding to, and recovering from acts of terrorism and all hazards – man-made or natural.

- c. The Commission will act in an advisory capacity to provide coordinated stakeholder input to the Secretary of the Department of Crime Control and Public Safety and the Division of Emergency Management in the preparation, implementation, evaluation, and

revision of the North Carolina emergency management program. To this purpose, the Commission will work to:

1. Increase state and local disaster/emergency response capabilities; and
2. Coordinate training, education, technical assistance, and outreach activities.

Section 3. Administration

- a. The Department of Crime Control and Public Safety shall provide administrative support and staff to the Commission as may be required.
- b. Members of the Commission shall serve without compensation but may receive reimbursement for travel and subsistence expenses in accordance with state guidelines and procedures and contingent on the availability of funds.

Section 4. Effect and Duration

This Executive Order is effective immediately. It supersedes and replaces all other executive orders on this subject. It shall remain in effect until December 14, 2013, pursuant to N.C. Gen. Stat. § 147-16.2 or until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this fifteenth of December in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-fourth.



Beverly Eaves Perdue
Governor

ATTEST:

Elaine F. Marshall
Secretary of State